



The Punjab Laws (Extension No. 3) Act, 1957

Act 23 of 1957

Keyword(s):

Transferred Territories, Extension of Laws, Regional Laws

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PUNJAB ACT NO. 23 OF 1957.

[Received the assent of the President on the 12th July, 1957, and was first published for general information in the Punjab Government Gazette (Extraordinary), dated the 24th July, 1957]

An Act to Provide for the extension of certain laws to the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

BE it enacted by the Legislature of the State of Punjab in the Eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Laws (Extension No. 3) Act, 1957.

Short title and commencement.

(2) It shall come into force at once.

2. In this Act,—

(a) "Schedule" means a Schedule appended to this Act ;

Definitions.

(b) "transferred territories" means the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union.

3. The Punjab General Clauses Act, 1898, shall apply for the interpretation of this Act as it applies for the interpretation of a Punjab Act.

Interpretation.

4. (1) All the enactments, as amended from time to time, specified in Schedule I and so much of any of the enactments, as amended from time to time, specified in Schedule II as extends to the

Extension of certain laws to transferred territories.

1 For statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1957, Page 689.

territories which, immediately before the 1st November, 1956, were comprised in the State of Punjab and relates to matters with respect to which the State Legislature has power to make laws for a State, and all rules, regulations, notifications, orders and by-laws made, and all directions or instructions issued, thereunder, which are in force immediately before the commencement of this Act in the said territories, are hereby extended to, and shall be in force in, the transferred territories.

(2) The amendments specified in Schedule I shall be made in the aforesaid enactments.

Construction
of certain
references.

5. In the enactments, or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, as referred to in section 4, any reference :—

(1) to a law which is not in force in the transferred territories shall in relation to such territories, be construed as a reference to the corresponding law, if any, in force in such territories ; and

(2) to the State of Punjab, by whatever form of words, shall be construed as including a reference to the transferred territories.

Repeals and
savings.

6. If immediately before the commencement of this Act, there is in force in the transferred territories any law corresponding to any of the enactments or rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, thereunder, extended to those territories by section 4 ; that law, including the enactments specified in Schedule III, shall on the commencement of this Act, save as otherwise expressly provided in this Act, stand repealed :

Provided that such repeal shall not affect—

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder ; or

- (b) any right, privilege, obligation or liability acquired or incurred under any law so repealed ; or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed ; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed :

Provided further that anything done or any action taken under any law so repealed shall be deemed to have been done or taken under the corresponding provision of the enactment extended by section 4 to the transferred territories, and shall continue to be in force accordingly, unless and until superseded by any thing done or any action taken under the enactment so extended.

7. For purposes of facilitating the application in the transferred territories of any enactment specified in Schedule I or Schedule II or of any rule, regulation, notification, order, by-law, direction or instruction referred to in section 4, any court or other authority may construe the same with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority.

Powers of courts and other authorities for purposes of facilitating application of the enactments specified in Schedules I or II or rules, etc.

8. Nothing contained in this Act shall affect the power of the State Government or of any officer or authority, exercisable under the enactments specified in Schedules I and II, to add to, amend, vary or rescind the rules, regulations, notifications, orders and by-laws made, and directions or instructions issued, as extended by section 4 to the transferred territories.

Power to make rules, etc., not to be affected.

9. If any difficulty arises in giving effect in the transferred territories to the provisions of any enactment specified in Schedule I or Schedule II, the State Government may, by order notified in the Official Gazette, make such provisions or give such directions as appear to it to be necessary or expedient for the removal of the difficulty.

Power to
remove difficul-
ties.

SCHEDULE I

EXTENSION OF PUNJAB ACTS

(See section 4)

Serial No.	Year	Number of the Act	Short title	Amendment
1	2	3	4	5
1	1887	.. (Act No. XVI of 1887)	The Punjab Tenancy Act, 1887	
2	1887	.. (Act No. XVII of 1887)	The Punjab Land Revenue Act, 1887	
3	1899	.. (Act No. I of 1899)	The Punjab Riverain Boundaries Act, 1899	
	1913	.. (Act No. I of 1913)	The Punjab Pre-emption Act, 1913	
	1935	.. (Act No. V of 1935)	The Punjab State Aid to Industries Act, 1935	After section 45 the following new section shall be added :—
			Loans under Pepsu Act II of 2007 to be deemed to be granted under this Act.	"45-A. All loans granted under the Patiala and East Punjab States Union State

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Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
				Aid to Indus- trie Act, 2007 (Act No. 1 of 2007 Bk.) shall be deemed to be granted under and in accor- dance with the provisions of this Act and shall be recoverable in the same manner in which loans gran- ted under this Act are recover- able."
6	1943	.. (Act No. VI of 1943)	The Punjab Mater- nity Benefit Act, 1943	
7	1948	.. (XI of 1948)	The East Punjab Molasses (Control) Act, 1948	
8	1948	.. (Act No. XX of 1948)	The East Punjab Factories (Control of Dismantling) Act, 1948	
9	1948	.. (Act No. XXII of 1948)	The East Punjab War Awards Act 1948	
10	1950	.. (Act No. VI of 1950)	The Punjab Abol- ition of Village Cess (Kuri Kamini) Act, 1950	
11	1953	.. (Act No. XVII of 1953)	The Punjab Silk- worm Seed Control Act, 1953	
12	1954	.. (VIII of 1954)	The Punjab Entertainments Tax (Cinematog- raph Shows) Act, 1954	
13	1954	.. (XII of 1954)	The Punjab To- bacco Vend Fees Act, 1954	

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Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
14	1955	.. (Act No. IX of 1955)	The Punjab Public Service Commission (Additional Functions) Act, 1955	In section 3, before word "recruitment" insert the words "or the Patiala Municipal (Executive Officers) Act, 2003."
15	1955	.. (Act No. XIV of 1955)	The Punjab Co-operative Societies Act, 1954	In section 25 and sub-section (2) of section 26, for the figure "23" the figure "24" shall be substituted.
16	1955	.. (XVI of 1955)	The Punjab Entertainments Duty Act, 1955	
17	1955	.. (45 of 1956)	The Punjab Bhudan Yagna Act, 1955	After clause (e) of section 25, the following new clause shall be added, namely :— “(f) If a co-operative farming society is formed in the village, he shall if so required by the Revenue Officer become a member of the co-operative farming society and abide by its by-laws and regulations.”

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SCHEDULE II

EXTENSION OF CENTRAL REGULATIONS

(See Section 4)

Serial No.	Year	Number of the Regulation	Short title	Amendments
1	2	3	4	5
1	1798	.. (Regulation No. 1 of 1798)	The Bengal Land (Conditional Sales) Regulation, 1798	
2	1806	.. (Regulation No. XVI of 1806)	The Bengal Land (Redemption of Foreclosure) Regulation, 1806	
3	1825	.. (Regulation No. XI of 1825)	The Bengal Alluvion and Dilluvion Regulation, 1825	

SCHEDULE III

REPEALS

(See Section 6)

Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
1	1994 Bk.	(Patiala State Notification No. 4, dated 25th Har, 1994 BK.)	Patiala State Notification No. 4, dated 25th Har, 1994, Bk. enforcing the Punjab Land Revenue Act, 1887, in the erstwhile Patiala State.	

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Serial No.	Year	Number of the Act	Short title	Amendments
1	2	3	4	5
2	..	(Patiala Council of Regency's order enforcing the Punjab Tenancy Act, 1887 and the Patiala Tenancy (Amendment) Act, 1997 B.K.)	Patiala Council of Regency's order enforcing the Punjab Tenancy Act, 1887, in the erstwhile Patiala State with effect from 16th August 1901, and the Patiala Tenancy (Amendment) Act 1997	
3	2001 Bk.	(Foreign Ministry Patiala notification No. Leg/12 dated 1-2-2001 Bk/13th May, 1944).	Foreign Ministry, (Legislation Branch) Patiala's notification No. Leg/21, dated 1-2-2001 Bk./13th May, 1944, enforcing the Punjab Pre-emption Act, 1913 in the Patiala State, as amended by L.R. Patiala's notification No. Leg/116, dated the 18th December, 1944 A.D./4-9-2001 Bk,	
4	2002 Bk.	(1 of 2002 Bk.)	The Patiala Entertainments Duty Act, 2002 Bk.	
5	2005 Bk.	(XVIII of 2005 Bk.)	The Patiala and East Punjab States Union Molasses (Control) Ordinance, 2005 Bk.	

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Serial No.	Year	Number of the Regulation	Short title]	Amendments
1	2	3	4	5
6	2006 Bk.	(Pepsu Ordinance No. XXVII of 2006 Bk.)	The Pepsu war awards Ordinance 2006	
7	1917	(Ijlas-i-khas Order, dated 3rd Sep- tember, 1917)	Ijlas-i-Khas Patiala's Order, dated the 3rd September, 1917, applying the Co- operative Societies Act, 1912	
8	2007 Bk.	(Pepsu Act No. II of 2007 Bk.)	The Patiala and East Punjab States Union State Aid to Industries Act, 2007	
9	2008 Bk.	(XXV of 2008 Bk.)	The Pepsu Manu- factured Tobacco (Regulation of possessions and Sale) Act, 2008 Bk.	
10	1955	(25 of 1955)	The Pepsu Bhoo- dan Yagna Act 1955	